

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 03 OCT 2001

PCT

Applicant's or agent's file reference 3716/117	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/26572	International filing date (day/month/year) 27 SEPTEMBER 2000	Priority date (day/month/year) 27 SEPTEMBER 1999
International Patent Classification (IPC) or national classification and IPC IPC(7): A63H 33/26 and US Cl.: 446/136, 444		
Applicant THE MARKETING STORE WORLDWIDE, L.P.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 0 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 24 APRIL 2001	Date of completion of this report 21 AUGUST 2001
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer JACOB ACKUN
Facsimile No. (703) 305-3230	Telephone No. (703) 308-3307

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/26572

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

☒ the international application as originally filed

☒ the description:

pages 1-13 as originally filed  
pages NONE filed with the demand  
pages NONE filed with the letter of \_\_\_\_\_

☒ the claims:

pages 14-15 as originally filed  
pages NONE as amended (together with any statement) under Article 19  
pages NONE filed with the demand  
pages NONE filed with the letter of \_\_\_\_\_

☒ the drawings:

pages 1-8 as originally filed  
pages NONE filed with the demand  
pages NONE filed with the letter of \_\_\_\_\_

☒ the sequence listing part of the

description: NONE as originally filed  
pages NONE filed with the demand  
pages NONE filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets-fig NONE

### 5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\*Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/26572

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. statement

Novelty (N)

Claims 1-14

YES

Claims NONE

NO

Inventive Step (IS)

Claims 1-14

YES

Claims NONE

NO

Industrial Applicability (IA)

Claims 1-14

YES

Claims NONE

NO

### 2. citations and explanations (Rule 70.7)

Claims 1-14 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest a method of making a play board for a magnetically guided toy having the steps of providing a substrate; printing a graphic image on the substrate; and printing ferromagnetic ink over the substrate to form a guide path for the magnetically guided toy to follow.

NEW CITATIONS

NONE

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US00/26572

## A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : A63H 33/26

US CL : 446/136, 444

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 446/129-139, 431, 441, 444-447

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

WEST, EAST

search terms: ferromagnetic ink

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 4,990,117 A ( <i>YONEZAWA</i> ) 05 FEBRUARY 1991, See col. 5, lines 21-26.	1-13
A	US 2,690,626 A ( <i>GAY et al.</i> ) 05 OCTOBER 1954, See col. 2, lines 42-50.	1-13
A	US 4,650,438 A ( <i>AJIRO</i> ) 17 MARCH 1987, See col. 4, lines 3-7.	1-13
A	US 6,168,494 B1 ( <i>ENGEL et al.</i> ) 02 JANUARY 2001, See col. 8, lines 46-57.	1-13

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

## \* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T"

later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X"

document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y"

document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&amp;"

document member of the same patent family

Date of the actual completion of the international search

01 FEBRUARY 2001

Date of mailing of the international search report

21 MAR 2001


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